

REMARKS

Reconsideration of this application, as amended, is requested.

Claims 1-5, 9, 11-14 and 21-26 remain in the application. Claims 6-8, 10 and 15-20 are canceled. Dependent claims 9, 13 and 14 have been amended to address formal matters. These amendments are not considered to be narrowing in nature. Independent claim 12 has been amended to define the invention with greater particularity and new claims 21-26 have been added.

As discussed in detail in the application and in the prior prosecution of this case, the invention relates to a very efficiently formed and very effective multilayer release liner. Manufacturing efficiencies are achieved by the substantially simultaneous deposition of the support layer and the release layer on a backing. Counsel and the applicants understand that the process limitations for forming the liner cannot be relied upon in this application to distinguish the liner from the prior art. However, the liner produced in the manner disclosed in the specification is structurally different from any prior art liners known to the applicants herein and achieves very substantial and unexpected performance advantages over the prior art.

The subject application explains that multilayer release liners have been formed in the prior art by applying a release layer to a previously coated backing. This prior art production of a multilayer release liner results in substantial manufacturing inefficiencies and cost penalties. In particular, the prior art requires the backing, such as a paper or paperboard, to be coated in one process and cured. The release liner then is applied to the coated backing in a separate process that adds significantly to the overall manufacturing costs. Counsel and the applicants understand that these very significant

differences are process related and not particularly pertinent to the issues before the Examiner in assessing the product claims of the subject application. However, the unique process of the subject invention also relates to structural and performance differences. As explained, for example, on pages 12 and 13 of the subject application, the substantially simultaneous deposition of the support layer and the release layer onto the backing avoids the creation of a clear demarcation between the support layer and the release layer as would occur if the backing were first coated, cured and then coated again with the release layer. Rather, the multilayer release liner of the subject invention creates small domains of silicone of the release layer in the support layer. Thus, the release layer is anchored to the support layer and is not likely to separate during use (e.g., when a label is being removed). However, a well defined release surface is defined by the release layer across the multilayer release liner to achieve a very substantial improvement in release performance as compared to prior art release liners that apply a release layer to an uncoated backing.

The claims existing prior to this Amendment were rejected under 35 USC 102(b) and/or 35 USC 103(a) in view of U.S. Patent No. 5,229,212 to Reed. The Amendment filed on June 3, 2003 on behalf of the applicants had remarks that considered the Reed reference in detail and assessed the limitations of the Reed reference. Those remarks are incorporated herein by reference.

As noted previously, Reed teaches that an "aqueous coating emulsion of the silicone release polymer includes an effective amount of a thickening agent to promote hold out of the silicone from the porous substrate" (col. 6, lines 9-12). Thus, the thickener is intended to reduce the flow of silicone into the pores of the substrate. Reed indicates

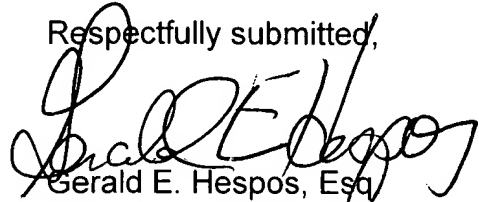
that the substrate can be an uncoated paper or a coated paper and that comparable effects are achieved.

The Examiner relies upon the Reed embodiments that apply the aqueous coating emulsion of the silicone release polymer to a coated paper. Of course, an important aspect of the subject invention relates to the fact that precoated substrates are more expensive than uncoated substrates and that the coating, curing and coating process is more expensive and less efficient than the substantially simultaneous coating of the subject invention. These process differences, however, result in a structurally different product with superior performance. In particular, the products of the claimed invention have a fairly well defined demarcation between the support layer and the release layer, but with small domains of silicone from the release layer residing in the support layer. The existence of these small domains of silicone projecting into the support layer is attributable to the substantially simultaneous deposition of the release layer onto the support layer. The existence of the small domains ensures that the release layer will remain on the support layer and will not separate or delaminate during use.

A Declaration Under 37 CFR 1.132 is nearing completion and will be filed very soon. The Declaration will refer to samples produced pursuant to the teaching of Reed and other samples produced pursuant to the claimed invention. Analysis of the samples will be presented in the Declaration Under Rule 132 demonstrate that the product defined by the claims presented in this Amendment is structurally different from products of the prior art and provide very significant and unexpected advantages over the prior art.

The claims remaining in this application define patentable subject matter and allowance is solicited. The Examiner is urged to contact applicants attorney at the number below to expedite the prosecution of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald E. Hespos", written over the printed name.

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